## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

the specification of which:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR RESENSITIZING VANCOMYCIN RESISTANT BACTERIA WHICH SELECTIVELY CLEAVE A CELL WALL PEPTIDE

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|  | <u>X</u> is a   | ttached her   | reto.   |  |  |  |
|  | was   | filed on  |   |  | as   |  |
|  | Application   | Serial No   | Not Yet Known   |  |  |  |
|  | and was am  | ended   |   |  | ·  |  |
|  |   |   |   | (if app  | olicable)  |  |
| I hereby state that I including the claims I acknowledge the duto be material to paid to be material to paid I hereby claim foreign 365(b) of any foreign International Application of the control of the | as amended by ty to disclose to entability as def priority benefits application(s, cation which des dentified below | any amend the U.S. Pa ined in Title under Title for patent agnated at any foreign | ment referred to abo<br>tent and Trademark of<br>e 37. Code of Federa<br>e 35. United States Co<br>or inventor's certific<br>least one country of<br>application for pate | ve.<br>Office all inform<br>Il Regulations, So<br>ode. Section 119<br>cate. or Section 1<br>ther than the Un<br>nt or inventor's | nation known to me<br>ection 1.56.<br>(a)-(d) or Section<br>365(a) of any PCT<br>nited States, listed<br>certificate, or PCT |  |
| Prior Foreign Application(s)   |   |   |   | Priorit  | Priority Claimed   |  |
| <u>Number</u>  | Country   |   | Filing Date   | <u>Yes</u>   | <u>No</u>  |  |
| N/A  | <u>.</u>  |   |   |  |  |  |
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N/A

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|---|-------------------------------|----------------------------|
| I hereby claim the benefit under Title 35. provisional application(s) listed below: | United States Code, Section 1 | 19(e) of any United States |
| Provisional Application No.   | Filing Date                   | <u>Status</u>              |

I hereby claim the benefit under Title 35. United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35. United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trodemark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s), and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Storus      |  |
|------------------------|-------------|-------------|--|
| N/A                    |             | <del></del> |  |
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|                        |             |             |  |
|                        |             |             |  |

## And I hereby appoint

John P. White (Reg. No. 28,768); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923); Alan D. Morrison (Reg. No. 37,399); Alan Miller (Reg. No. 42,889); Christopher M. Ries (Reg. No. 45,799) and Frank Bruno (Reg. No. 46,583)

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone call, regarding this application to:

| John P. White, Esq.         | Reg. No. | 28,678 |
|-----------------------------|----------|--------|
| Cooper & Dunham LLP         | _        |        |
| 1185 Avenue of the Americas |          |        |
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| Tel. (212) 278-0400         |          |        |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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